



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/563,259	09/22/2006	Xiaopin Duan	56815.09/00	1294
36734 7590 10/02/2008 BAKER & HOSTETLER LLP WASHINGTON SQUARE, SUITE 1100 1050 CONNECTICUT AVE. N.W. WASHINGTON, DC 20036-5304				
EXAMINER				
CONTTEE, JOY KIMBERLY				
ART UNIT		PAPER NUMBER		
2617				
MAIL DATE		DELIVERY MODE		
10/02/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/563,259

Applicant(s)

DUAN ET AL.

Examiner

JOY K. CONTEE

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 January 2006.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-7 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 04 January 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-85/86)
Paper No(s)/Mail Date 01/04/06, 5/23/06, 4/09/07
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Inventor's Patent Application
6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Ewert et al. (Ewert), US 7054,620.

Regarding claim 1, Ewert discloses a method for processing a location information request in a location service, comprising: A. a location information request initiator sending a location information request containing a processing indication to a location information request receiver; and B. after receiving the location information request, the location information request receiver determining whether to perform [synchronous processing or] asynchronous processing for the location information request according to type of the processing indication, and then implementing corresponding processing for the location information request (reads on monitoring for trigger location change event and determining the location of the user and providing deferred location information) (see col. 2, lines 29-39).

3. Claims 1-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Burroughs et al. (Burroughs) US 2006/0258369.

Regarding claim 1, Burroughs discloses a method for processing a location information request in a location service, comprising: A. a location information request initiator sending a location information request containing a processing indication to a location information request receiver; and B. after receiving the location information request, the location information request receiver determining whether to perform synchronous processing or asynchronous processing for the location information request according to type of the processing indication, and then implementing corresponding processing for the location information (see page 6 [0057]).

Regarding claim 2, Burroughs discloses the method according to claim 1, wherein, under the condition that the location information request receiver, in step B, determines to perform synchronous processing for the location information request according to type of the processing indication, the step of implementing corresponding processing for the location information request in step B comprises: after a LCS system locates the target UE, the location information request receiver sending a location information response containing locating result of the target UE to the location information request initiator (see Fig. 2A and see page 6 [0057]).

Regarding claim 3, Burroughs discloses the method according to claim 1, wherein, under the condition that the location information request receiver, in step B, determines to perform asynchronous processing for the location information request according to type of the processing indication, step B comprises: B1. the location information request receiver sending a location service response to the location information request initiator, and releasing the connection resource between itself and

the location information request initiator; B2. after receiving the location service response, the location information request initiator releasing the connection resource between itself and the location information request receiver; and B3. after a LCS system locates the target UE, the location information request receiver reestablishing the connection between itself and the location information request initiator, and then sending a LCS service result containing locating result of the target UE to the location information request initiator(see Fig. 2A and see page 6 [0057]).

Regarding claim 4, Burroughs discloses the method according to claim 1, wherein the type of the processing indication is determined according to type of a processing indication contained in a location information request received by the location information request initiator, or according to a parameter of quality of service contained in a location information request received by the location information request initiator, or according to address type of the location information request receiver, or according to any combinations of the above manners.

Regarding claim 5, Burroughs discloses the method according to claim 1, wherein the location information request initiator is a LCS client, while the location information request receiver is an R-GMLC (see page 6 [0059]).

Regarding claim 6, Burroughs discloses the method according to claim 1, wherein the location information request initiator is an R-GMLC, while the location information request receiver is an H-GMLC (see page 6 [0059]).

Regarding claim 7, Burroughs discloses the method according to claim 1, wherein the location information request initiator is an H-GMLC, while the location information request receiver is a V-GMLC (see page 9 [0082]).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Jung et al. 2006/0242307, discloses a method of providing location service over IMS network.

GE et al., 2007/0287412, discloses a method for handling deferred location request.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOY K. CONTEE whose telephone number is (571)272-7906. The examiner can normally be reached on Monday through Friday, 5:30 a.m. to 2:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on 571.272.7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JC

/Joy K Contee/
Patent Examiner (PSA), Art Unit 2617